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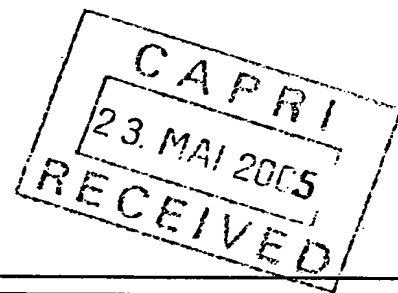
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Déposant VALOIS S.A.S. etc	

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Translation

PATENT COOPERATION TREATY

PCT/FR2003/002519



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference VALS 849 B PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/002519	International filing date (day/month/year) 12 août 2003 (12.08.2003)	Priority date (day/month/year) 23 août 2002 (23.08.2002)
International Patent Classification (IPC) or national classification and IPC B65B 7/28		
Applicant VALOIS S.A.S.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 18 mars 2004 (18.03.2004)	Date of completion of this report 26 November 2004 (26.11.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/002519

I. Basis of the report

1. With regard to the elements of the international application:*

☐ the international application as originally filed

☒ the description:

pages _____ 1-11 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the claims:

pages _____ 1-12 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the drawings:

pages _____ 1/3-3/3 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig. _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PCT/TPA/409 (Box V) (January 1994)

International application No.
PCT/FR 03/02519

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3, 5-12	YES
	Claims	1, 2, 4	NO
Inventive step (IS)	Claims	3, 5-12	YES
	Claims	1, 2, 4	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following document:

D1: US 3 631 579 (Herbert L. Leach), 4 January 1972
(1972-01-04)

1. The present application fails to meet the requirements of PCT Article 33(2), since the subject matter of claims 1, 2 and 4 is not novel.

1.1 D1 discloses (the references between parentheses apply to D1):

(A) assembly equipment (1) for force-fitting a dispensing unit (12, 13, 14) onto a neck (4) of a container (3) having an axis of symmetry;

(B) said equipment includes a push member (21) for exerting pressure on the dispensing unit (12, 13, 14), thereby force-fitting it onto the neck (4) of the container (3); said equipment further includes:

(C) a first guide wall (46) for bringing the dispensing unit at least approximately in line with the axis of symmetry of said container, and

(D) a second guide wall (48) for more accurately

orienting the dispensing unit (12, 13, 14) relative to said axis.

Note that D1 discloses an apparatus for assembling aerosol cans that does not constitute, *per se*, a crimping device (see D1, column 2, lines 38 to 41). According to the PCT International Search and Preliminary Examination Guidelines (see GL-ISPE 5.23), the expression "...assembly equipment for force-fitting..." should be interpreted as relating merely to a device suitable for implementing the method. A device, as described in D1 (see in particular D1, column 2, lines 35 to 38 and column 2, lines 44 to 48), that would otherwise have all the features mentioned in the claim, should therefore be considered to be consistent with the claim. Consequently, since D1 discloses all the technical features of claim 1 (cf. D1, column 2, lines 10 to 25), said claim cannot be considered novel.

- 1.2 D1 further discloses that the second guide wall (48 in D1) is an integral part of the push member and that the first guide wall (46 in D1) has a frusto-conical shape converging towards the second guide wall.

On the above grounds, the subject matter of claims 2 and 4 is not novel either.

2. The subject matter of dependent claims 3 and 5 to 12 appears to meet the requirements of novelty, inventive step and industrial applicability of PCT Article 33(2), (3) and (4).

(12) DEMANDE INTERNATIONALE PUBLIÉE EN VERTU DU TRAITÉ DE COOPÉRATION
EN MATIÈRE DE BREVETS (PCT)

(19) Organisation Mondiale de la Propriété
Intellectuelle
Bureau international



(43) Date de la publication internationale
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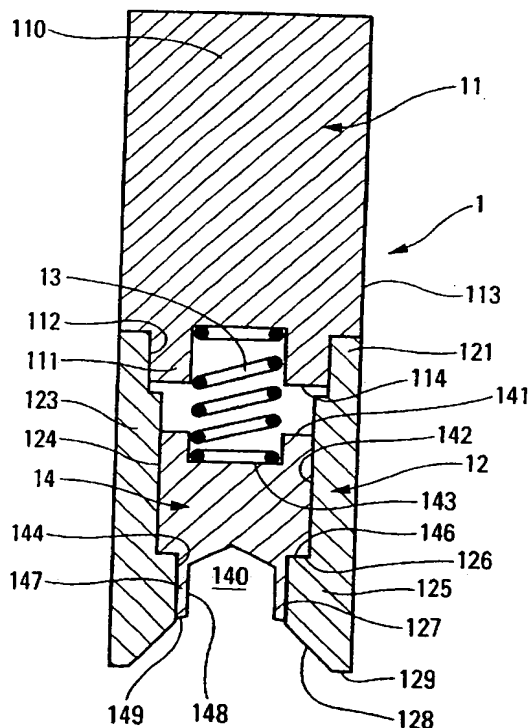
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- (72) Inventeur; et
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Thuit-Signol (FR).
- (74) Mandataire : CAPRI; 33, rue de Naples, F-75008 Paris
(FR).
- (81) États désignés (national) : BR, CN, JP, US.
- (84) États désignés (régional) : brevet européen (AT, BE, BG,
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IT, LU, MC, NL, PT, RO, SE, SI, SK, TR).
- Publiée :
— sans rapport de recherche internationale, sera republiée
dès réception de ce rapport

[Suite sur la page suivante]

(54) Title: ASSEMBLY DEVICE FOR MOUNTING A DISPENSING ELEMENT TO THE NECK OF A CONTAINER

(54) Titre : EQUIPEMENT DE MONTAGE POUR MONTER UN ORGANE DE DISTRIBUTION SUR UN COL DE RÉCIP-
PIENT.



(57) Abstract: The invention relates to an assembly device (1) which is used to mount a dispensing element (3) to the neck (22) of a container (2) by means of press fitting, said container having an axis X. The inventive device comprises a push element (14) which is designed to exert a force on the dispensing element (3) in order to press fit said element on the neck of the container. The invention is characterised in that it also comprises a first guide wall (128) which is used to bring the dispensing element at least roughly in line with the axis (X) of the neck (22) and a second guide wall (148) which is used to adjust the orientation of the dispensing element precisely in the axis of the neck.

(57) Abrégé : Equipement de montage (1) pour monter par emmanchage en force un organe de distribution (3) sur un col (22) de récipient (2) présentant un axe de symétrie (X), ledit équipement comprenant un organe de poussée (14) apte à exercer une poussée sur l'organe de distribution (3) pour l'emmancher en force sur le col de récipient, caractérisé en ce qu'il comprend en outre - une première paroi de guidage (128) pour amener au moins grossièrement l'organe de distribution dans l'axe (X) du col (22), et - une seconde paroi de guidage (148) pour affiner l'orientation de l'organe de distribution dans l'axe du col.

WO 2004/018296 A2